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PATRIOT SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TECHNOLOGY PROPERTIES LIMITED
LLC, PHOENIX DIGITAL SOLUTIONS
LLC, and PATRIOT SCIENTIFIC
CORPORATION,

Plaintiffs,

v.

LG ELECTRONICS, INC. and LG
ELECTRONICS U.S.A., INC.,

Defendants.

Case No. 3:12-cv-03880-VC

**PLAINTIFFS' ANSWER TO
COUNTERCLAIMS**

JURY TRIAL DEMANDED

Plaintiffs Technology Properties Limited LLC, Phoenix Digital Solutions LLC, and
Patriot Scientific Corporation (collectively "Plaintiffs") answer Defendants LG Electronics, Inc.
and LG Electronics U.S.A., Inc.'s ("Counter-Claimant(s)" or "LG") Counterclaims by admitting,
denying, and alleging as follows:

PARTIES

1
2 1. Responding to paragraph 1 of the Counterclaims, Plaintiffs admit upon
3 information and belief that Counter-Claimant LG Electronics, Inc. is a corporation organized and
4 existing under the laws of the Republic of Korea, with its principal place of business at Twin
5 Tower 128, Yeoui-daero, Yeongdeungpo-gu, Seoul, Republic of Korea.

6 2. Responding to paragraph 2 of the Counterclaims, Plaintiffs admit upon
7 information and belief that Counter-Claimant LG Electronics, U.S.A., Inc. is a corporation
8 organized and existing under the laws of the State of Delaware, with its principal place of
9 business at 1000 Sylvan Avenue, Englewood Cliffs, New Jersey, 08632

10 3. Responding to paragraph 3 of the Counterclaims, admitted.

11 4. Responding to paragraph 4 of the Counterclaims, admitted.

12 5. Responding to paragraph 5 of the Counterclaims, admitted.

NATURE OF THE ACTION

13
14 6. Responding to paragraph 6 of the Counterclaims, Plaintiffs admit that LG's
15 Counterclaims seek declarations of non-infringement, invalidity and/or unenforceability.
16 Plaintiffs deny LG is entitled to such declarations.

17 7. Responding to paragraph 7 of the Counterclaims, admitted.

JURISDICTION AND VENUE

18
19 8. Responding to paragraph 8 of the Counterclaims, Plaintiffs admit LG's
20 Counterclaims seek declaratory judgment under 28 U.S.C. §§ 1331, 1338, 2201, and 2202 and 35
21 U.S.C. § 1. Plaintiffs deny LG is entitled to such declarations.

22 9. Responding to paragraph 9 of the Counterclaims, admitted.

23 10. Responding to paragraph 10 of the Counterclaims, admitted.

FIRST COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 5,440,749)

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26 11. Responding to paragraph 11 of the Counterclaims, Plaintiffs reallege and
27 incorporate by reference the responses in paragraphs 1 through 10 above.

1 12. Responding to paragraph 12 of the Counterclaims, Plaintiffs admit that there is a
2 controversy between the parties as to the infringement of the '749 patent. The rest of the
3 paragraph is denied.

4 13. Responding to paragraph 13 of the Counterclaims, denied.

5 **SECOND COUNTERCLAIM**

6 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 5,530,890)**

7 14. Responding to paragraph 14 of the Counterclaims, Plaintiffs reallege and
8 incorporate by reference the responses in paragraphs 1 through 13 above.

9 15. Responding to paragraph 15 of the Counterclaims, Plaintiffs admit that there is a
10 controversy between the parties as to the infringement of the '890 patent. The rest of the
11 paragraph is denied.

12 16. Responding to paragraph 16 of the Counterclaims, denied.

13 **THIRD COUNTERCLAIM**

14 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 5,809,336)**

15 17. Responding to paragraph 17 of the Counterclaims, Plaintiffs reallege and
16 incorporate by reference the responses in paragraphs 1 through 16 above.

17 18. Responding to paragraph 18 of the Counterclaims, Plaintiffs admit that there is a
18 controversy between the parties as to the infringement of the '336 patent. The rest of the
19 paragraph is denied.

20 19. Responding to paragraph 19 of the Counterclaims, denied.

21 20. Responding to paragraph 20 of the Counterclaims, denied.

22 **FOURTH COUNTERCLAIM**

23 **(Declaratory Judgment of Invalidity of U.S. Patent No. 5,440,749)**

24 21. Responding to paragraph 21 of the Counterclaims, Plaintiffs reallege and
25 incorporate by reference the responses in paragraphs 1 through 20 above.

26 22. Responding to paragraph 22 of the Counterclaims, Plaintiffs admit that there is a
27 controversy between the parties as to the validity of the '749 patent. The rest of the paragraph is

1 denied.

2 23. Responding to paragraph 23 of the Counterclaims, denied.

3 **FIFTH COUNTERCLAIM**

4 **(Declaratory Judgment of Invalidity of U.S. Patent No. 5,530,890)**

5 24. Responding to paragraph 24 of the Counterclaims, Plaintiffs reallege and
6 incorporate by reference the responses in paragraphs 1 through 23 above.

7 25. Responding to paragraph 25 of the Counterclaims, Plaintiffs admit that there is a
8 controversy between the parties as to the validity of the '890 patent. The rest of the paragraph is
9 denied.

10 26. Responding to paragraph 26 of the Counterclaims, denied.

11 **SIXTH COUNTERCLAIM**

12 **(Declaratory of Invalidity of U.S. Patent No. 5,809,336)**

13 27. Responding to paragraph 27 of the Counterclaims, Plaintiffs reallege and
14 incorporate by reference the responses in paragraphs 1 through 26 above.

15 28. Responding to paragraph 28 of the Counterclaims, Plaintiffs admit that there is a
16 controversy between the parties as to the validity of the '336 patent. The rest of the paragraph is
17 denied.

18 29. Responding to paragraph 29 of the Counterclaims, denied.

19 **EXCEPTIONAL CASE**

20 30. Responding to paragraph 30 of the Counterclaims, Plaintiffs reallege and
21 incorporate by reference the responses in paragraphs 1 through 29 above.

22 31. Responding to paragraph 31 of the Counterclaims, denied.

23 **RESPONSE TO PRAYER FOR RELIEF**

24 Plaintiffs deny that LG is entitled to any requested relief.
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Dated: January 12, 2015

Respectfully submitted

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FILER'S ATTESTATION PURSUANT TO L.R. 5-1(i)(3)

I, James C. Otteson, am the ECF User whose ID and password are being used to file the
"PLAINTIFFS' ANSWER TO COUNTERCLAIMS." I hereby attest that concurrence in the
filing of this document has been obtained from each of the other signatories.

Dated: January 12, 2015

By: /s/ James C. Otteson
James C. Otteson